

**Dissenting Views
For H.R. 4477, the
“Sex Tourism Prohibition Improvement Act of 2002”**

We dissent from the portion of this bill that would make it a felony, with up to 15 years in prison, for the older of two teenage high school lovers to attempt, or even talk about, traveling across state or foreign boundaries to engage in consensual sexual activity, including what is referred to as heavy petting, since the provision covers even touching through the definition of “sexual act”. It is already a serious felony with up to 15 years in prison for such teenagers to engage in these consensual activities in the U.S., and now we would make it just as serious a felony to even attempt to travel from Virginia to D.C. with intent to engage in consensual sexual activity, or to even to talk about it. Certainly there are individuals and situations covered by the bill with which we can all agree, such as sexual predators who prey upon children, but we do not have to put wayward teenagers in this group as this bill does. During Committee markup of the bill, an amendment was offered by Rep. Scott to eliminate consensual sexual activities by teens, but it was rejected.

Since the bill covers foreign travel by U.S. citizens and resident aliens traveling from the U.S., we are dictating to the world our notions of serious felony crimes, regardless of the cultural norms of other countries. Just as the average age of marriage in this country was 15 for a female and 21 for a male until about 50 years ago, other countries have much younger averages now than does the US and provide for consensual relationships to begin between young people much earlier.

Since the bill covers commercial sex transactions, regardless of age or consent of the participants, and since States as well as all civilized foreign countries have laws against the underlying activities the bill is aimed, there is no demonstrated need to add more federal criminal laws to go after consensual activities which have nothing to do with the title and focus of the bill.

Jerrold Nadler
Bobby Scott
Melvin Watt